

**ZONING REQUEST DENIAL  
CERTIFICATE OF APPROPRIATENESS**

City of Burlington, Vermont  
Department of Planning and Zoning

Application Date: 02/29/2016

Appeal Expiration Date: 03/25/2016

**Project Location: 100-102 NORTH UNION STREET**

District: RM

Owner: Gary W. Laplant

Ward: 2C

Address: 44 Birch Lane  
Milton, VT 05468

Tax ID: 044-3-226-000

Project Type: Residential - Renovation/Facade

Project Description: Convert 200 sq ft of existing attached shed to living space.

Construction Cost:	\$10,000	Lot Size (Sq Ft):	5,261
Net New Habitable Sq Ft:	200.00	Net New # of Housing Units:	0
Existing % Lot Coverage:	0.00	Existing # of Parking Spaces:	0
Proposed % Lot Coverage:	0.00	Proposed # of Parking Spaces:	0
Net New % Lot Coverage:	0.00	Required # of Parking Spaces:	0

Zoning Permit #: 16-0888CA

Decision By: Administrative

Level of Review: 1

Decision: Denied

See Reasons for Denial

Decision Date: March 10, 2016

Project File: NA

Zoning Administrative Officer

*An interested person may appeal a decision of the Zoning Administrator to the Development Review Board until 4 pm on March 25, 2016.*

Fee Type	Amount	Paid in Full	Balance Due: \$0.00
Application Fee:	\$80.00	Yes	Date Paid: _____
Development Review Fee:	\$0.00	NA	Check # _____
Impact Fee:	Not Applicable		

Building Permit Required: **Not Applicable**

Received by: \_\_\_\_\_

Date: \_\_\_\_\_

*mailed 3/10/16  
amt*



## Department of Planning and Zoning

149 Church Street, City Hall  
Burlington, VT 05401-8415  
Phone: (802) 865-7188  
Fax: (802) 865-7195

[www.burlingtonvt.gov/pz](http://www.burlingtonvt.gov/pz)

RECEIVED  
FEB 25 2016

DEPARTMENT OF  
PLANNING & ZONING

### Zoning Permit Application

Use this form for ALL zoning permit applications. See the relevant checklist for specific requirements.

PROJECT LOCATION ADDRESS: 100-102 North Union Street

#### PROPERTY

OWNER\*: Josh Tyrowicz-Cohen

\*If condominium unit, written approval from the Association is also required

APPLICANT: SAME

POSTAL ADDRESS: 42 Fairmount St

CITY, ST, ZIP: Burlington, VT 05401

DAY PHONE: 802-522-0526

EMAIL: joshdtc@gmail.com

#### SIGNATURE:

I am the owner. In addition, I duly authorize the applicant (if noted) to act on my behalf for all matters pertaining to this zoning permit application.

POSTAL ADDRESS: \_\_\_\_\_

CITY, ST, ZIP: \_\_\_\_\_

DAY PHONE: \_\_\_\_\_

EMAIL: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

Description of Proposed Project: Convert 200 sq ft of existing attached shed to living space

Existing Use of Property: ☐ Single Family ☒ Multi Family: # 2 Units ☐ Other: \_\_\_\_\_

Proposed Use of Property: ☐ Single Family ☒ Multi Family: # 2 Units ☐ Other: \_\_\_\_\_

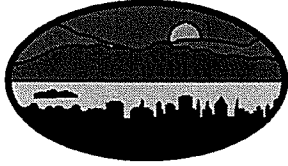
- Does your project involve new construction, addition, alteration, renovation, or repair to a structure that is heated or cooled? Yes ☐ No ☒  
(If yes, the Vermont Residential Building Energy Standards (VRBES) apply. Visit the P&Z Office, Public Service Board or PSB website for details)
- Will 400 sq ft or more of land be disturbed, exposed and/or developed? Yes ☐ No ☒  
(If yes, you will need to submit the 'Erosion Prevention and Sediment Control Plan' questionnaire, with a site plan)
- For Single Family & Duplex, will total impervious area be 2500 sq ft or more? Yes ☐ No ☒  
(If yes, you will need to submit the 'Stormwater Management Plan' questionnaire, with a site plan)
- Are you proposing any work within or above the public right of way? Yes ☐ No ☒  
(If yes, you will need to receive prior approval from the Department of Public Works)

Estimated Construction Cost (value)\*: \$ 10,000 -

(\*Estimated cost a typical contractor would charge for all materials and labor, regardless of who physically completes the work)

Within 30 days of submission, the permit application will be reviewed for completeness, and, if complete, will be processed administratively or referred to a board for review. All permit approvals or denials are subject to an appeal period (15 days for administrative permit; 30 days for board permit). A building (and/or electrical, mechanical, plumbing, curb cut) permit will also be required. Contact the Department of Public Works at 802-863-9094 to inquire. Please ask for assistance if you have any questions about filling out this form. Call the Planning and Zoning at 802-865-7188, or visit the office in the lower level of City Hall, 149 Church Street.

Office Use Only: Zone: RM Eligible for Design Review? 4 Age of House 1870 Lot Size 5261  
Type: SN ☐ AW ☐ FC ☐ BA ☐ COA 1 ☒ COA 2 ☐ COA 3 ☐ CU ☐ MA ☐ VR ☐ HO ☐ SP ☐ DT ☐ MP ☐  
Check No. 1285 Amount Paid \$80. Zoning Permit # 16-0888CA



City of  
Burlington, Vermont  
149 Church Street

## Zoning Permit - COA Level I – Reasons for Denial

ZP #: 16-0888CA

Tax ID: 044-3-226-000

Issue Date: March 10, 2016

Decision: Denied

Property Address: 100-102 NORTH UNION STREET

**Description:** Convert 200 sq ft of existing attached shed to living space.

### Reasons for Denial:

1. **Section 5.2.5 Setbacks**

(b) **Exceptions to Yard Setback Requirements:**

4. **Accessory Structures and Parking Areas.**

*Accessory structures no more than fifteen feet in height, parking areas, and driveways may project into a required side and rear yard setback provided they are no less than five (5) feet from a side or rear property line where such a setback is required.*

The proposed parking plan on the submitted site plan does not meet the required 5' minimum side yard setback. **Adverse finding.**

2. Scaled plan appear inaccurate (site plan scales lot width as 61'; tax maps identify lot width as 56.32'). No survey was provided to confirm parking adequacy or required setbacks on the parcel. **Adverse finding.**

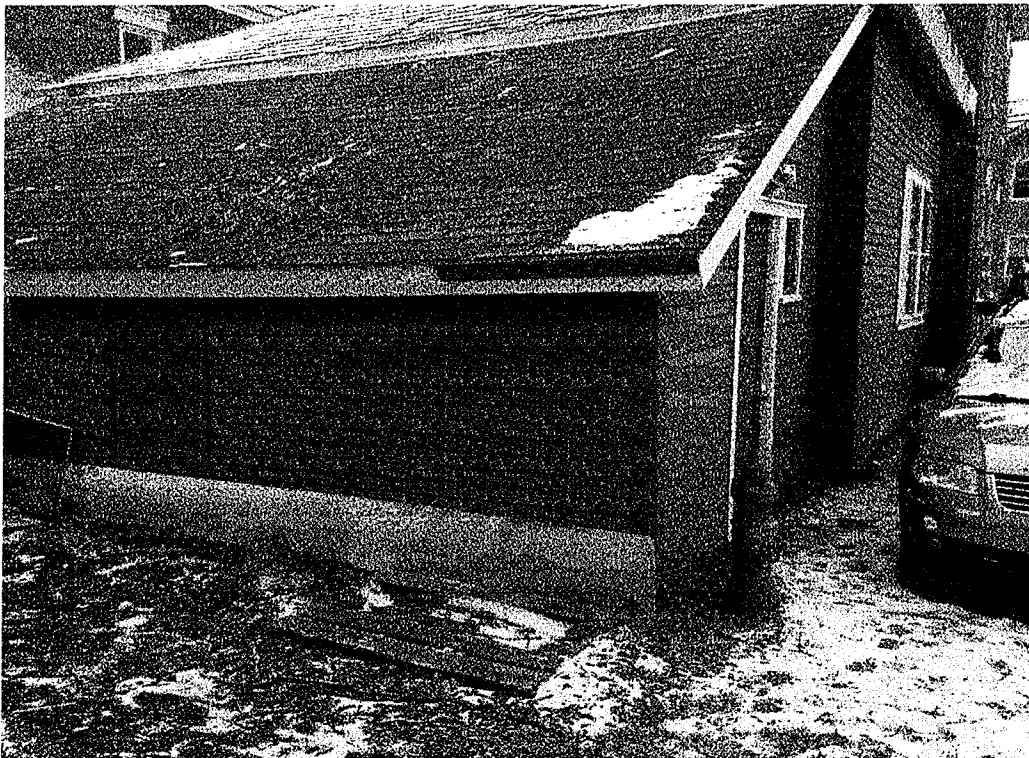
3. **Article 5, Part 3: Non-Conformities**

The applicant has not satisfactorily demonstrated that the parking plan as illustrated on the submitted site plan has previous zoning approval, or been in existence continuously for more than 15 years and therefore may lawfully continue subject to the provisions of this part.

4. Analysis of photographic documentation illustrates parking over property boundary lines. A property owner secured Zoning Permit 11-0343FC "to keep people from crossing drive;" providing confirmation of the problem and an attempt to cease the practice. **Adverse finding.**



100-102 North Union Street



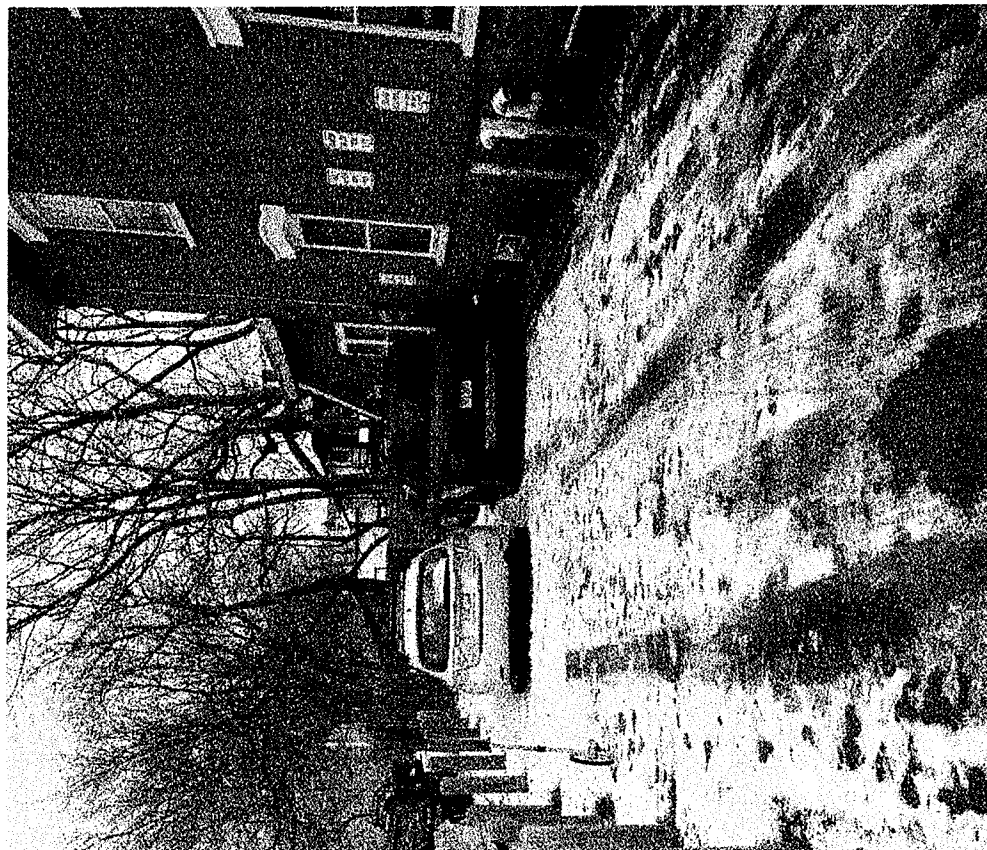
Existing attached shed to be converted

RECEIVED

FEB 25 2016

DEPARTMENT OF  
PLANNING & ZONING

Parking area



RECEIVED

FEB 29 2016

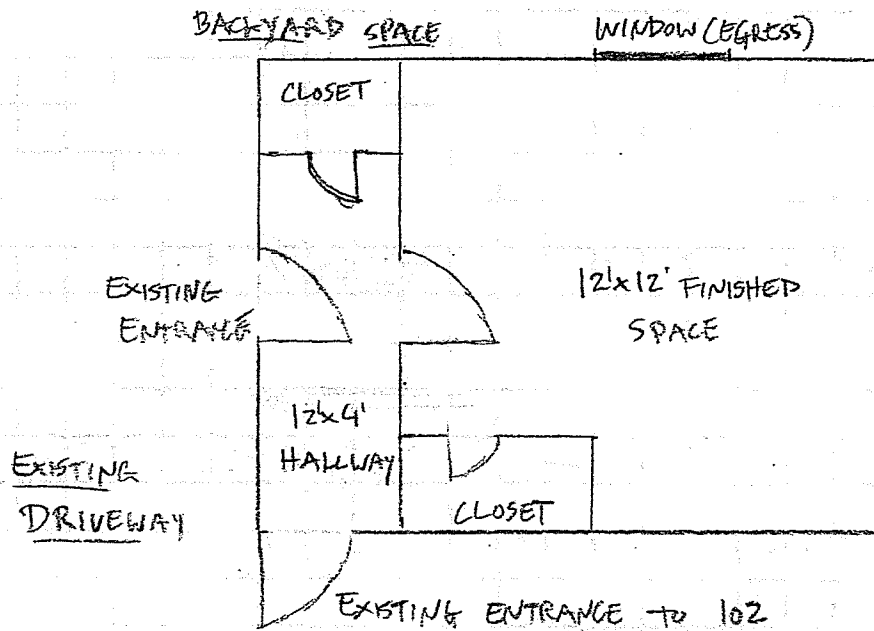
DEPARTMENT OF  
PLANNING & ZONING

RECEIVED

FEB 29 2016

DEPARTMENT OF  
PLANNING & ZONING

102 NORTH UNION FINISHED SPACE  
FLOOR PLAN

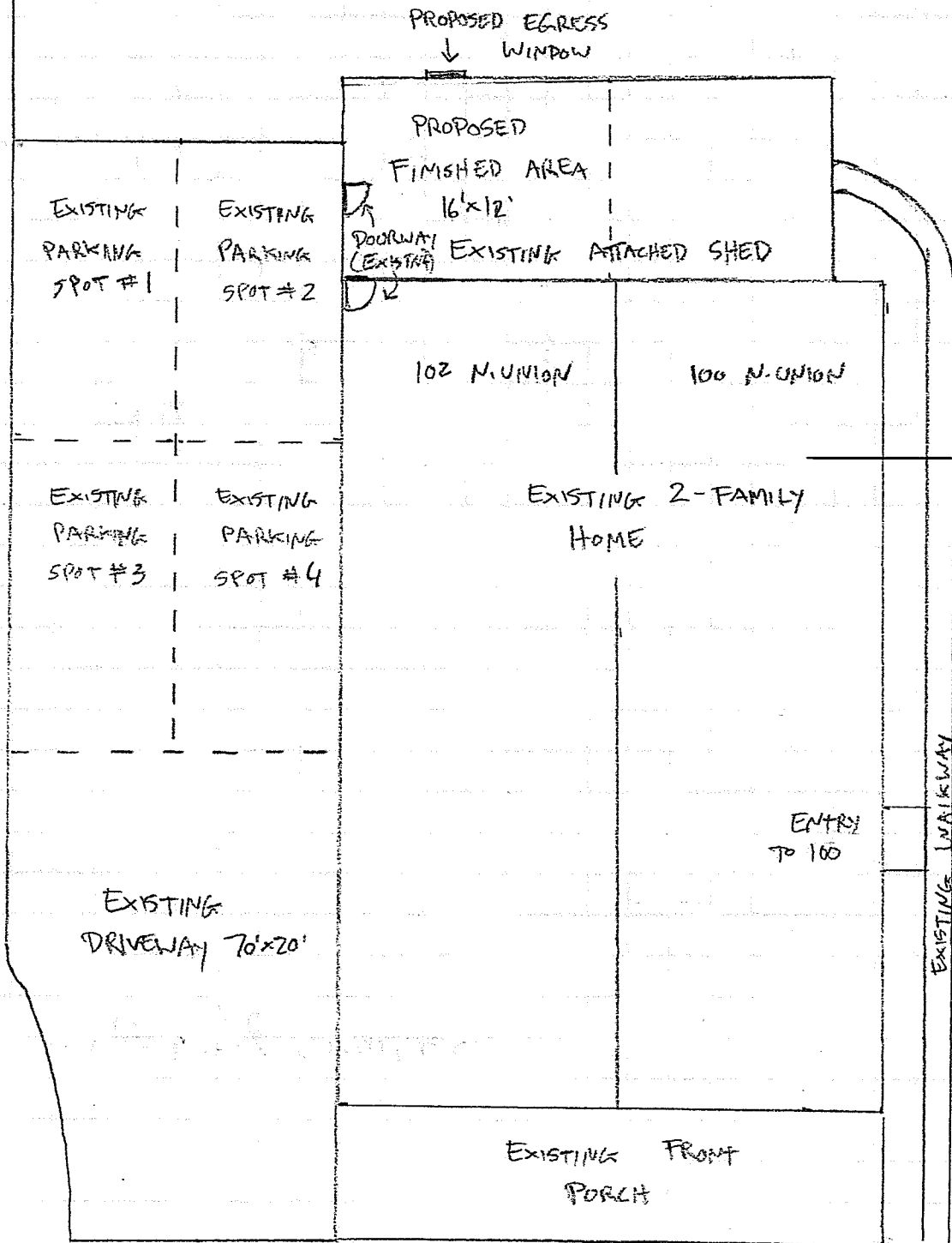


RECEIVED

FEB 29 2016

100-102 NORTH UNION SITE PLAN  
SCALE 1"=10'

DEPARTMENT OF PLANNING & ZONING  
YARD SPACE



100-102 North Union Street Lot Coverage

	Existing	Proposed
House (49'x33')	1617	1809
Shed (12'x30')	360	168
Front Porch (33'x8')	264	264
Driveway (70'x20')	1400	1400
Walkways & Landings	153	153
Total	3794	3794
% Coverage (5,600sq ft lot)	68.00%	68.00%

RECEIVED  
FEB 23 2016  
DEPARTMENT OF  
PLANNING & ZONING